



DANIEL HARRIGAN, MAYOR

## CITY OF AKRON, OHIO

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*Jeff Fusco, Vice-President*

*Mike Freeman, President Pro-Tem*

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Phil Lombardo, <b>Ward 2</b>	Mike Freeman, <b>Ward 9</b>
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Russel Neal, <b>Ward 4</b>	<a href="http://www.akroncitycouncil.org">www.akroncitycouncil.org</a>

### Council Agenda for July 11, 2022 **DRAFT**

Regular Meeting held on June 27, 2022. All members were present. Minutes of the previous meeting approved (Neal abstained).

#### CONSENT AGENDA

- 1 ORDINANCE approving the sale of a City-owned property pursuant to the City's Land Reutilization Program, in order to facilitate the productive re-use of the property and to reduce the cost to the City and the taxpayers in maintaining vacant lots; determining said property is not needed for public use; and declaring an emergency. (Planning and Economic Development)
- 2 RESOLUTION establishing the honorary designation of a section of Covington Road, between Hampshire Road and Chatham Road, as "Hellen Mitten Way;" and declaring an emergency. (Planning and Economic Development)
- 3 ORDINANCE ratifying the actions of the Director of Public Service in contracting with H.M. Miller Construction Co. for the emergency repair of the Quaker Square sewer; authorizing payment therefor; and declaring an emergency. (Public Service)
- 4 ORDINANCE authorizing the Director of Public Service, or his designee, to apply for, and if awarded, enter into a grant agreement with the Ohio Department of Transportation (ODOT) for the rehabilitation of the Runway End Identifier Lights (REILS) and Taxiways R, R1, and R2 at the Akron Fulton Airport; and declaring an emergency. (Public Service)

- 5 ORDINANCE ratifying the actions of the Director of Public in contracting with H.M. Miller Construction Co. for the emergency repair of a water main at Highland and Darrow Road; authorizing payment therefor; and declaring an emergency. (Public Utilities & Green)
- 6 ORDINANCE authorizing the Director of Public Service or his designee, after publicly advertising for bids, to enter into a contract or contracts for the renovation of the Ed Davis Community Center; and declaring an emergency. (Parks & Recreation)
- 7 ORDINANCE authorizing the Director of Public Service or his designee, after publicly advertising for bids, to enter into a contract or contracts for the construction of the Perkins Pool and Bathhouse Rehabilitation project; and declaring an emergency. (Parks & Recreation)

**RULES (M. Freeman, Chair)**

UP FOR CONTINUATION OF PUBLIC HEARING JULY 11, 2022:

ORDINANCE amending and/or supplementing Title 3 “Administration,” Chapter 30 “Mayor and Council,” Section 30.11 “Limits on Noncash Monetary and In-Kind Contributions and Loans” and Section 30.12 “Limits on Cash Contributions” to increase the contribution limits for mayoral and council candidates; and declaring an emergency. (Public Hearing scheduled for June 27, 2022. See Regular Agenda).

**BUDGET & FINANCE (M. Freeman, Chair)**

NO ITEMS

**PLANNING & ECONOMIC DEVELOPMENT (J. Fusco, Chair)**

UP FOR PUBLIC HEARING JULY 11, 2022

- 1 ORDINANCE authorizing a Conditional Use to place an electronic outdoor advertising display at 550 Dan Street; and declaring an emergency. (6/13/2022)
- 2 ORDINANCE authorizing a Conditional Use to construct a mixed use development within the White Pond Office Park on the west side of White Pond Drive, south of Frank Boulevard; and declaring an emergency. (6/27/2022)
- 3 ORDINANCE accepting the eligibility report for the Amended White Pond Dr. – Frank Blvd. Urban Renewal Area, approving the Amended White Pond Dr. – Frank Blvd. Urban Renewal Area Renewal Plan; and

making necessary findings in connection therewith; and declaring an emergency. (6/27/2022)

UP FOR PUBLIC HEARING JULY 18, 2022:

- 4 ORDINANCE authorizing a Conditional Use to construct an addition and parking at 560 E. Tallmadge Avenue; and declaring an emergency. (6/27/2022)
- 5 ORDINANCE authorizing a Conditional Use to construct an apartment development at 1793 S. Arlington Street; and declaring an emergency. (6/27/2022)

UP FOR PUBLIC HEARING JULY 25, 2022:

- 6 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 350 Grand Avenue; and declaring an emergency. (6/27/2022)

FIRST READING AND REFERRED:

- 7 ORDINANCE authorizing the Mayor or his designee to enter into and execute agreements between the City of Akron, Highland Square Economic Development, LLC, Highland Square Mustard Seed Market, LLC, Highland Square Markets, LLC, Square Deal Market, LLC, and other entities, in order to amend and/or modify the existing transaction that resulted in the development of the existing Mustard Seed Market Grocery Store in Highland Square; and declaring an emergency. (6/27/2022)

TIME:

- 8 ORDINANCE amending and/or supplementing Title 1, Chapter 11, Sections 11.01 through and including 11.11 of the Code of Ordinances of the City of Akron, Ohio, by subdividing the City into wards in conformity with the 2020 Federal Census and Akron Charter Section 28a to be effective for the municipal primary election to be held on May 2, 2023; repealing existing Sections 11.01 through and including 11.11 of the Code of Ordinances of the City of Akron, Ohio, on the effective date of the new ward boundaries, authorizing the Director of Law to have prepared a more detailed map and/or description of said wards as shown by Exhibit A; and declaring an emergency. (6/6/2022)
- 9 D-498 Petition of Jamison Williams for a Conditional Use to construct an apartment development at 1793 S. Arlington Street. (6/6/2022)

- 10 D-499 Petition of Brooke Moorer for a Conditional Use to establish a type A daycare home at 350 Grand Avenue. (6/6/2022)
- 11 D-500 Petition of Ramon Hernandez for a Conditional Use to establish a short-term rental at 1764 Thornapple Avenue. (6/6/2022)
- 12 D-501 Petition of Triton Property Ventures for a Conditional use to construct a mixed use development (residential and retail); dedication and vacation of streets; and sale of City-owned property within the White Pond Office Park on the west side of White Pond Drive, south of Frank Boulevard. (6/6/2022)
- 13 D-502 Petition of Anthony L. DeVitis for a Conditional Use to construct an addition and parking at 560-580 E. Tallmadge Avenue. (6/6/2022)
- 14 D-503 Petition of Dan Nielsen, dba Kenjoh Outdoor, for a Conditional Use to place an electronic outdoor advertising display (billboard) at 550 Dan Street. (6/6/2022)
- 15 D-482 Petition of Brent Ian Wesley for a Conditional Use to establish a food production / commercial kitchen at 714 Sumner Street. (PC-2022-24-CU) (05-09-2022)
- 16 D-483 Petition of Scott Hernandez for a Conditional Use to construct an oversized accessory structure at 1954 Stockbridge Road. (PC-2022-23-CU) (05-09-2022)
- 17 ORDINANCE amending Title 15 “Land Usage”, Chapter 153, “Zoning Code” to reflect the enactment of the Title 15, Chapter 155 “Sign Code”; and declaring an emergency. (5/2/2022) (Public Hearing was held May 9, 2022)
- 18 ORDINANCE amending The Zoning Map by changing the Single Family Residence Use District (U1, H1, A1) at 112 S. Hawkins Avenue to a Government Use District (UG, H1, A1) Classification; and declaring an emergency. (4/25/2022) (Public Hearing was held May 9, 2022)
- 19 D-455 Rezoning of property at 112 S. Hawkins Avenue from Single Family Residence Use District (U1, H1, A1) to Government Use District (UG, H1, A1) for Fire Station 12 (PC-2022-18-RZ) (04/11/2022).
- 20 D-457 Petition of Greenview Senior Living for a Conditional Use to expand an existing assisted care facility at 327 S. Miller Road (PC-2022-12-CU) (04/11/2022).
- 21 D-458 Petition of Kenmore Construction for a Conditional Use to

establish a supply yard; and the vacation of Midway Street, a portion of Ocean Avenue, and a portion of Scenic Way between Annapolis Avenue and Success Road (PC-2022-16-CU&V) (04/11/2022).

- 22 ORDINANCE amending The Zoning Map by changing the Ordinary Industry Use District (U5, H3, A1) and Commercial Use District (U4, H3, A1 and A4) Classifications within the area bounded by E. Mill Street on the north, the existing Retail Business Use District (U3) on the west, the existing University District (UD) and State of Ohio property adjacent to the Metro Regional Transit Authority property on the east and E. Exchange Street on the south, to a Retail Business Use District (U3, H3, A3) Classification; and declaring an emergency. (3/28/2022) (Public Hearing was held April 11, 2022)
- 23 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 1363 Diagonal Road; and declaring an emergency. (12/6/21) (Public Hearing was held January 24, 2022)
- 24 D-371 Petition of Alicia Lee, for a Conditional Use to establish a Type A daycare home at 1363 Diagonal Road. (PC-2021-58-CU) (PC-2021-38-CU) (11/15/21)
- 25 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 434 Clinton Avenue; and declaring an emergency. (Public Hearing was held 9/20/2021)
- 26 D-302 Petition of Mayamu Konneh for a Conditional Use to establish a Type A daycare home at 434 Clinton Avenue. (PC-2021-37-CU) (9/13/21)
- 27 ORDINANCE authorizing a Conditional Use to establish and construct an addition to a bed and breakfast at 814 Bloomfield Avenue; and declaring an emergency. (Public Hearing was held 9/13/21)
- 28 D-774 Petition of Community Action Agency for a Conditional Use to construct a parking lot and the sale of City-owned land on W. Center Street. (Parcel No. 6716587) (PC-2019-63-CU & S) (9/16/19)
- 29 ORDINANCE authorizing a Conditional Use to construct an apartment development at the corner of Mull Avenue and Crawford Road; and declaring an emergency. (Public Hearing was held 6/25/18)
- 30 D-31. Petition of Lonnie Jones for a Conditional Use to establish a rooming house at 460 South Maple Street. (PC-2012-15) (4/16/12)
- 31 D-505 Petition of Joe Blough (Elegant Homes) for a Conditional Use to

construct an apartment development at the corner of Mull Avenue and Crawford Road. (PC-2018-15-CU) (6/4/18)

- 32 ORDINANCE authorizing a Conditional Use to construct a parking lot on the east side of W. Center Street (PN 6716587); and declaring an emergency. (Public Hearing was held October 21, 2019)
- 33 D-45 Petition of Ngwe Tun for a Conditional Use to establish a retail use at 116 E. Cuyahoga Falls Avenue (PC-2020-09-CU) (3/16/20)
- 34 ORDINANCE authorizing a Conditional Use to establish a retail use at 116 E. Cuyahoga Falls Avenue; and declaring an emergency. (Public Hearing was held 6/29/20)
- 35 ORDINANCE amending The Zoning Map by changing the Commercial Use District Classification (U4, H4, A5) on property located on the north side of East Exchange Street, west of South Arlington Street, and changing the Commercial Use District (U4, H2, A4 and U4, H2, A1) on property located on the east side of South Arlington Street, south of East Exchange Street, to Retail Business Use District (U3, H2, A4); and declaring an emergency. (9/14/20) (Public Hearing was held - 10/19/20)
- 36 D-285 Petition of Louie Berrodin for a Conditional Use to establish a bed and breakfast and construct an addition at 814 Bloomfield Avenue (PC-2021-30-CU) (7/12/21)
- 37 ORDINANCE amending/supplementing Title 15, Chapter 153, "Zoning Code", Section 153.140 "Definitions" and Section 153.310 "Business and Industry requirements" establishing a form-based Urban Overlay district for the East Market Street Corridor; and declaring an emergency. (9/14/20) (Public Hearing was held - 10/19/20)

FILED:

- 38 D-481 Petition of Midwest Development Projects, LLC, for a Conditional Use to construct an addition to a medical marijuana cultivation facility at 1956 South Main Street. (PC-2022-25-CU) (05-09-2022)

**PUBLIC SERVICE (T. Mosley, Chair)**

FILED:

D-489-4 One (1) objection to Street Cleaning and Street Lighting Project R-103-2022 (late).

**PUBLIC UTILITIES & GREEN (M. Freeman, Chair)**

NO ITEMS

**PUBLIC SAFETY (D. Kammer, Chair)**

NO ITEMS

**PARKS & RECREATION (P. Lombardo, Chair)**

NO ITEMS

**HOUSING & NEIGHBORHOOD ASSISTANCE (J. Fusco, Chair)**

NO ITEMS

**HEALTH & SOCIAL SERVICES (L. Omobien, Chair)**

NO ITEMS

**FILED**

D-512 Letter to Council from Sandy Zee about Council Prayers

D-513 White Pond Dr Frank Blvd Urban Renewal Area Eligibility Report and  
Renewal Plan June 2022

D-514 Notice of transfer of liquor permit to Carolines LLC dba Carolines &  
Patio, 1382 W Waterloo Road

D-515 Notice of transfer of liquor permit to Johnny Reas LLC, 1358 W Waterloo  
Road

D-516 Notice of new liquor permit to Ohio Springs, Inc. dba Sheets 765, 2133  
East Waterloo Road

**ORDINANCES & RESOLUTIONS PASSED AT PREVIOUS MEETING**

ORDINANCE NO. 159-2022 authorizing the Director of Public Service to enter  
into an agreement or agreements and/or legislation with the Ohio Director of  
Transportation for certain improvements in the City of Akron on S.R. 241 and  
S.R. 764; and declaring an emergency. Vote: 13-0.

RESOLUTION NO. 160-2022 declaring it necessary to improve East Wilbeth  
Road between the termini of Interstate 77 and South Arlington Street, Triplett  
Boulevard between the termini of South Arlington Street and South Seiberling

Street, Massillon Road between the termini of Oakes Drive and East Waterloo Road and George Washington Boulevard between the termini of East Waterloo Road and Triplett Boulevard by resurfacing; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 161-2022 levying special assessments for the improvement of certain streets between certain termini (2021 Phase I Arterial/Collector Program) by resurfacing such streets with asphaltic concrete 402/404; and declaring an emergency. (Substitute offered as an amendment) Vote: 13-0.

ORDINANCE NO. 162-2022 levying special assessments for the improvement of certain streets between certain termini (2021 Phase I Partial Depth Pavement Replacement Program) by repaving such streets with asphaltic concrete 402/404; and declaring an emergency. (Substitute offered as an amendment) Vote: 13-0.

ORDINANCE NO. 163-2022 levying special assessments for the improvement of certain streets between certain termini (2021 Phase I Residential Resurfacing Program) by resurfacing such streets with asphaltic concrete 402/404; and declaring an emergency. (Substitute offered as an amendment) Vote: 13-0.

ORDINANCE NO. 164-2022 levying special assessments for the improvement of certain streets between certain termini (2021 Phase I Unimproved Street Resurfacing Program) by treating the surface thereof with substances designed to preserve the surface; and declaring an emergency. (Substitute offered as an amendment) Vote: 13-0.

ORDINANCE NO. 165-2022 authorizing the Mayor, or his designee, to apply for, and if granted, enter into agreements with the Water Supply Revolving Loan Account (WSRLA) for certain Water Supply Capital Improvement projects; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 166-2022 authorizing a Conditional Use to construct an addition to a medical marijuana cultivation facility at 1956 S. Main Street; and declaring an emergency. (5/23/2022) Vote: 13-0.

ORDINANCE NO. 167-2022 amending/supplementing Title 15, Chapter 153, "Zoning Code", Section 153.566 "Class UPD-33 district" to allow limited access to West Bath Road from Ascot Industrial Park; and declaring an emergency. (6/6/2022) Vote: 13-0.

ORDINANCE NO. 168-2022 approving the 2022 Consolidated Annual Action Plan including applications and certifications for the Community Development Block Grant ("Community Development"), the HOME Investment Partnership ("HOME") and Emergency Solutions Grant ("ESG") Programs; authorizing the Director of Planning and Urban Development to enter into all necessary contracts for the operation and term of the Programs; and declaring an emergency.



(6/6/2022) (Public Hearing was held 6/13/2022) Vote: 13-0.

ORDINANCE NO. 169-2022 accepting a dedication plat for Ascot Parkway, Extended; and declaring an emergency. (6/6/2022) Vote: 13-0.

ORDINANCE NO. 170-2022 amending and/or supplementing Title 9, Chapter 95 “Littering,” Section 95.99 “Penalty” of the Akron Codified Ordinances in order to increase the criminal sanction for littering in the City of Akron; and declaring an emergency. (5-23-2022) Vote: 13-0.

RESOLUTION NO. 171-2022 approving and confirming the appointment of Erik B. Reynolds for a term expiring on August 1, 2023, and Stephanie Leonardi, for a term expiring on August 1, 2024, to the City of Akron Public Art Commission; and declaring an emergency. Vote: 12-0 (Neal abstained).

ORDINANCE NO. 172-2022 authorizing the Mayor to enter into and execute a renewal of the existing Intergovernmental Agreement with Summit County and various other jurisdictions for the shared purchase, implementation and use of Matrix Case Management Software; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 173-2022 authorizing the Mayor, or his designee, without the formality of advertising for bids, to enter into a contract or contracts with SACS Consulting & Investigative Services, Inc. for security services at Lock 3 Park and/or other recreational facilities; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 174-2022 determining to proceed with the improvement of Riverview Road between the termini of 1460 lineal feet north of the southern property line of PTS of Lot 3 4 5 6 78 67 75 76 77 public purpose and the northern corporation limit, Merriman Road between the termini of Portage Path and Riverview Road, Akron-Peninsula Road between the termini of Portage Trail Extension and West Steels Corners Road, Smith Road between the termini of Riverview Road and Sand Run Road, Portage Trail Extension between the termini of Akron-Peninsula Road and Northampton Road and North Portage Path between the termini of Merriman Road and Portage Path Extension by resurfacing; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 175-2022 determining to proceed with the improvement of Beardsley Street between the termini of Firestone Boulevard and Archwood Avenue by resurfacing; constructing and reconstructing curbs, concrete sidewalks and driveway approaches; and installing roof drain pipes; and declaring an emergency. Vote: 13-0.

ORDINANCE 176-2022 levying special assessments for the improvement of US224 between the termini of Kelly Avenue and Hilbish Avenue by resurfacing; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 177-2022 levying special assessments for the improvement of Waterloo Road between the termini of Glenmount Avenue and Kelly Avenue by resurfacing; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 178-2022 levying special assessments for the improvement of Waterloo Road between the termini of Manchester Road and Glenmount Avenue by resurfacing; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 179-2022 levying special assessments for the improvement of Cole Avenue Extension in the City by paving, grading, constructing, reconstructing and installing curbs, concrete sidewalks, storm sewers, storm sewer laterals, sanitary sewers, sanitary sewer laterals, water main and water main laterals, all together with the necessary appurtenances thereto; all in accordance with the Petition submitted by the property owner of the benefitted property; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 180-2022 levying special assessments for the improvement of East Market Street between the termini of Canton Road and Interstate 76, Seiberling Street between the termini of Triplett Boulevard and Archwood Avenue, Innovation Way between the termini of East Market Street and Seiberling Street, Vernon Odom Boulevard between the termini of Romig Road and McTaggart Drive and Opportunity Parkway between the termini of Edgewood Avenue and Cedar Street by resurfacing; and declaring an emergency. Vote: 13-0.

RESOLUTION NO. 181-2022 re-affirming this Council's support for a woman's right to make basic, fundamental choices about her reproductive health in light of the U.S. Supreme Court's decision in Dobbs v. Jackson Women's Health Organization, expressing opposition to a total ban on abortion in the State of Ohio; and declaring an emergency. Vote: 11-2 (Freeman, Lombardo).

**COMMITTEE MEETINGS**  
**Scheduled for July 11, 2022:**

1:00 P.M.	Planning & Economic Development	2:30 P.M.	Health & Social Services
1:45 P.M.	Parks & Recreation	2:45 P.M.	Public Utilities & Green
2:00 P.M.	Rules	3:00 P.M.	Budget & Finance
2:00 P.M.	Public Service	Subject to call	Housing & Neighborhood Assistance
2:15 P.M.	Public Safety		

**NEW LEGISLATION WILL BE ADDED PRIOR TO THE  
MEETING. PLEASE CHECK BACK FOR FINALIZED  
AGENDA.**